

U.S. Application No. 10/675,385, filed September 30, 2003
Attorney Docket No. 15013US02
Response dated February 14, 2011
In Response to Office Action mailed September 13, 2010

REMARKS

Claims 1-34 are pending. Claims 1-34 are rejected.

Claims 11-20 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Examiner objects to the use of “machine-readable storage” as covering signals per se. Although Applicants do not necessarily agree with the Examiner’s interpretation, Applicants have amended claims 11-20 to remove reference to “machine-readable storage.” It is respectfully requested that the rejection be withdrawn with respect to claims 11-20.

Claims 1-34 stand rejected under 35 U.S.C. § 103(a) as being obvious over at least Ellis in view of Walker in view of Russell.

Although Applicants believe that claims 1-34 are patentable over at least the art of record, Applicants have amended independent claims 1, 11 and 21 to expedite prosecution and/or to further clarify the subject matter recited therein.

In view of at least the amendments herein, the Office Action no longer presents a *prima facie* case of obviousness in view of the combination of documents as asserted in the Office Action.

It is respectfully submitted that claims 1-34 are in condition for allowance.

Applicants do not necessarily agree with the Examiner’s characterization of the documents made of record, either alone or in combination, or the Examiner’s characterization of recited claim elements. Furthermore, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

Applicants respectfully reserve the right to pursue, without prejudice, subject matter that has been withdrawn, amended and/or cancelled a continuing and/or related application.

With respect to the present application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The

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Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: February 14, 2011

Respectfully submitted,

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